

**UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
ASHEVILLE DIVISION
CIVIL ACTION NO: 1:23-CV-00041**

-----X
JACOB DOE,

Plaintiff,

NOTICE OF MOTION

-against-

**THE UNIVERSITY OF NORTH CAROLINA
SYSTEM, et al.,**

Defendants.

-----X

PLEASE TAKE NOTICE that Plaintiff, through his attorneys, Nesenoff & Miltenberg, LLP and Ekstrand and Ekstrand, LLP, hereby moves this Court for an *ex parte* temporary restraining order and a preliminary injunction, pursuant to Fed. R. Civ. P. 65:

- (i) Prohibiting Defendants from releasing or disclosing any information concerning the disciplinary proceedings that are the subject of this lawsuit;
- (ii) Requiring Defendants to direct all individuals, including but not limited to employees and students, over whom they exercise control to refrain from publishing or disclosing any information concerning Plaintiff, the disciplinary proceedings, or the outcomes of such proceedings; and

- (iii) Requiring UNC to inform any media outlet, or any other third party, that receives information concerning Plaintiff's disciplinary outcome about the filing of this motion for a temporary restraining order and preliminary injunction, and notifying such media outlets or other third party, that they are prohibited from publishing any information concerning Plaintiff, the disciplinary proceedings, or the outcomes of such proceedings.

PLEASE TAKE FURTHER NOTICE THAT Plaintiff shall rely upon the Verified Complaint and accompanying Memorandum of Law and declarations in support of the Motion.

**DATED: New York, New York
October 6, 2023**

Respectfully submitted,

NESENOFF & MILTENBERG, LLP
Attorneys for Plaintiff

By: /s/ Andrew Miltenberg
Andrew T. Miltenberg, Esq.
Stuart Bernstein, Esq.
Tara J. Davis, Esq.
363 Seventh Avenue, Fifth Floor
New York, New York 10001
(212) 736-4500
amiltenberg@nmlplaw.com
sbernstein@nmlplaw.com
tdavis@nmlplaw.com

-and-

EKSTRAND AND EKSTRAND, LLP

By: /s/ Robert Ekstrand

Robert C. Ekstrand, Esq.
110 Swift Avenue, 2nd Floor
Durham, North Carolina 27705
(919) 416-4590
rce@ninthstreetlaw.com